

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: Chapter 11

SEARSHOLDINGS CORPORATION, *et al.*; Case No. 18-23538(RDD)

Debtors. 1: (Jointly Administered)

RESPONSE TO DEBTOR'S TWENTY-THIRD OMNIBUS OBJECTION TO CLAIM  
(Deborah A. Larsen CLAIM #6224)

Now comes Deborah A. Larsen, pro se, and for her response to the objection to claim # 6224 states as follows:

1. Claim # 6224 was timely filed and represents unpaid contractually granted severance pay after my termination from Sears which occurred on August 17, 2018. I have attached my termination letter as exhibit "A"

2. At time of delivery of the above described termination letter, I was also tendered a document which stated that I was entitled to receive severance pay of 20 weeks which would total \$30,000.00. I have attached the above referenced document as exhibit "B".

3. On October 22, 2018 I received a letter from Robert Weber advising that Sears Holdings had filed the above captioned Chapter 11 proceeding and that I would cease to receive my severance payments after my 60 WARN period. I was advised further that my severance would be considered a pre petition claim and I would be entitled to file a claim through prime clerk for any unpaid amounts. I have attached this letter as exhibit "C".

4. I continued to receive payments from time to time totaling \$12,000 of the \$30,000 severance pay after receipt of the letter from Mr. Weber. Thereafter payments stopped. \$18,000 of the \$30,000 severance obligation remains unpaid.

WHEREFORE, Deborah A. Larsen, pro se, moves this Court to overrule the Objection of the Debtor and find that I am entitled to an allowed claim as filed in the sum of \$18,000.00.

Deborah A. Larsen, pro se

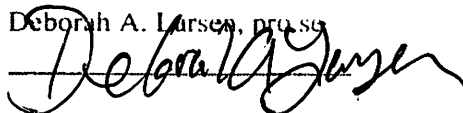


Exhibit "A"

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## SEARS HOLDINGS

Aug 17, 2018

VIA HAND DELIVERY

Deborah A Larsen  
125 S. Seventh Street  
Dekalb, IL 60115

Re: Reductions

Dear Deborah:

Sears Holdings Management Corporation is reducing the workforce at its facility located at 3333 Beverly Road, Hoffman Estates, IL 60179. Consistent with these plans, employment separations are expected to begin on or about August 25, 2018, and are expected to be permanent. However, the entire facility is not being closed.

We anticipate that your employment with the Company will terminate on October 16, 2018 or during a 14-day period beginning on that date. In connection with this reduction in force, you will not have the right to bump or displace other associates. You are being placed on a paid administrative leave effective immediately for the time prior to your employment termination date. You will continue to receive your usual pay and benefits during such leave period.

This announcement and the above timetable are based on the best information currently available. However, various factors may still affect the timing of any employment terminations. We will inform you if there are any significant changes to these plans. This letter is intended to satisfy any notice obligations the Company may have regarding this reduction in force.

If you have any questions concerning *this announcement*, please contact Tina Coates, Sr. Director, Human Resources, (847) 286 0777. For general Human Resources questions, please contact your Human Resources representative or 88Sears (1-888-88SEARS).

Sincerely,

Tina Coates  
Sr. Director, Human Resources Sears  
Holdings Management Corporation  
3333 Beverly Road  
Hoffman Estates, IL 60179

Exhibit "B"

## SEARS HOLDINGS

### Personal Statement of Benefits Eligibility

Associate's Name: DEBORAH A LARSEN

Emp ID: 81021280298

Unit: 58491

Department: FL06966

Job Title: Secretary to Executive

Job Code: SK0009

Service Date: 9/2/1997

Emp Type: Salaried

Annual Base Salary : \$78000.00

Benefit Rate/Hour: \$37.50

Retirement eligible as of last day worked: YES  
(Age>=50, Years of service>=10)

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Weeks of severance due: 20

Transition Pay Plan Severance Pay: \$30000.00

- Calculation for Salaried Associates (Exempt and Non-Exempt): 1 week of pay x weeks due = severance allowance
- Calculation for Hourly Associates (Hourly Benefit Plus/Non-HBP): Weekly standard hours x hourly rate x weeks due = severance allowance

#### IMPORTANT NOTES:

- See your Summary Plan Description for more details as to this calculation.
- Calculations are based on information available as of the print date of 8/15/2018. Refer to the Transition Pay Plan Summary for details.

Exhibit "C"

Date: October 22, 2018

To: 

DEBORAH A LARSEN  
125 S. SEVENTH STREET  
DEKALB, IL 60115

From: Robert Weber  
Re: An Important Update from Sears Holdings

Dear Deborah A,

As you have likely seen, on October 15, 2018, Sears Holdings initiated a Chapter 11 Bankruptcy process. While we had sought to avoid this process, we have ultimately determined that this is the most orderly way to achieve a debt solution and reorganize for the future.

I am writing to inform you that, as a result of this filing, the Company is required to discontinue all severance payments and associated benefits to former associates. This means that upon the expiration of the 60-day WARN period communicated to you at the time you received WARN notice, your pay will stop and your benefits coverage will end 14 days thereafter. At that time you are eligible for COBRA and may elect continued medical, vision and/or dental coverage for yourself/or your covered dependents under the Sears Holdings Medical, Dental, and Vision Plans. COBRA continuation of your Health Care Spending Account may only continue until the end of the current calendar year.

We recognize that this situation impacts you and your family, and we wanted to communicate with you as quickly as possible following the Chapter 11 filing. As a recipient of severance prior to the Company's Chapter 11 filing date, you are considered a prepetition creditor and will have the opportunity to file a claim. To download a Proof of Claim form and for details on submitting the claim, please visit the website managed by our Claims Agent at <http://restructuring.primeclerk.com/sears>.

Sincerely,

Robert Weber  
Chief Human Resources Officer  
Sears Holdings Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the foregoing document on the following,  
by 1<sup>st</sup> class Certified Mail on February 15, 2021.

Chambers of the Honorable Robert D. Drain  
United States Bankruptcy Court  
300 Quarropas Street  
White Plains, New York 10601

Weil, Gotshal, & Manges LLP,  
767 Fifth Avenue  
New York, New York 10153  
(Attn: Ray C. Schrock, Esq., Jacqueline Marcus, Esq., Garrett A. Fail, Esq., and Sunny  
Singh, Esq.), attorneys for the Debtors

Akin Gump Strauss Hauer & Feld LLP  
One Bryant Park  
New York, New York 10036  
(Attn: Philip C. Dublin, Esq., Ira Dizengoff, Esq., and Sara Lynne Brauner, Esq.), attorneys  
for the Official Committee of Unsecured Creditors appointed in these cases.

By: Deborah A Larsen  
125 S. 7<sup>th</sup> Street  
DeKalb, IL 60115  
815-901-5485  
dlarse815@gmail.com